

EXHIBIT B (Part 1)

In the Matter of:

Equal Employment Opportunity Commission, et al.

vs.

Washington Group, International, Inc., et al.

Warren Anderson
Vol. 1, April 12, 2006

*Doris O. Wong Associates, Inc.
Professional Court Reporters
Videoconference Center
50 Franklin Street
Boston, MA 02110
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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EQUAL EMPLOYMENT OPPORTUNITY	:	
COMMISSION,	:	
Plaintiff,	:	
JOHN BALDWIN, LEONARD BELL,	:	
JOHANNES KAINDOH, WAYNE	:	
HENDERSON, GODWIN ENAGBARE	:	
and JOE L. WILLIS,	:	
Intervenor-Plaintiffs,	:	
-against-	:	C.A. No
WASHINGTON GROUP	:	04-12097-GAO
INTERNATIONAL, INC., RON	:	
BENNETT, MICHAEL FOGARTY and	:	
DENNIS WOODRUFF,	:	
Defendants.	:	

DEPOSITION OF WARREN R. ANDERSON, a witness called on behalf of the Plaintiff, taken pursuant to the Federal Rules of Civil Procedure, before Ken A. DiFraia, Registered Professional Reporter and Notary Public in and for the Commonwealth of Massachusetts, at the Offices of Equal Employment Opportunity Commission, John F. Kennedy Federal Building, Government Center, Boston, Massachusetts, on Wednesday, April 12, 2006, commencing at 10:07 a.m.

PRESENT:

Equal Employment Opportunity Commission

(by R. Liliana Palacios, Esq.)

John F. Kennedy Federal Building,

Room 475, Government Center, Boston, MA
02203-0506, for the Plaintiff.

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PRESENT: (Continued)

Corrigan, Bennett & Belfort, P.C.

(by Todd J. Bennett, Esq.,
and Nicole Taub, Esq.)24 Thorndike Street, Suite 300,
Cambridge, MA 02141, for the
Intervenor-Plaintiffs John Baldwin,
Leonard Bell, Johannes Kaindoh and Wayne
Henderson.

Dessin & Associates

(by Jacques A. Dessin, Esq.)

236 Huntington Avenue, Boston, MA 02115,
for the Intervenor-Plaintiffs Godwin
Enagbare and Joe L. Willis.

Jackson Lewis LLP

(by Stephen T. Paterniti, Esq.)

75 Park Plaza, Boston, MA 02116,
for the Defendant Washington Group
International, Inc.

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PROCEEDINGS

WARREN R. ANDERSON

1 a witness called for examination by counsel for the
 2 Plaintiff, having been satisfactorily identified by
 3 the production of his driver's license and being
 4 first duly sworn by the Notary Public, was examined
 5 and testified as follows:

DIRECT EXAMINATION

BY MS. PALACIOS:

10 Q. Morning.
 11 A. Good morning.
 12 Q. We met before, but for the record, if you
 13 could state your full name and address, please.
 14 A. Warren Reid Anderson, 3879 South Helena
 15 Aurora, Colorado.
 16 Q. Thanks.

17 MS. PALACIOS: Just for the record, we are
 18 all agreeing to the usual stipulations in the case?
 19 I'm assuming Warren will read and sign?

20 MR. PATERNITI: Yes. Why don't we do the
 21 turnaround time, since he's out of state, maybe 60
 22 days to read and sign.

23 MS. PALACIOS: Sure. I would be glad to
 24 allow additional time. That's no problem.

1 supervisor.
 2 A. Labor relations supervisor at the job in
 3 Olympia. I was there until about 1984. The job
 4 concluded. Actually, the job was shut down. The
 5 client lost all their financing, and the job was
 6 shut down.

7 I was transferred to the Browns Ferry
 8 Nuclear Plant in the '84, '85 time period. We were
 9 going to do a steam generator replacement project
 10 there. I still carried the same title, supervisor.
 11 This was in Decatur, Alabama. We were there
 12 approximately eight months as a team. There was
 13 about 50 of us preparing for the project, and the
 14 client lost money, and the job got canceled.

15 Then an opportunity came up. We got a
 16 contract to be the construction manager for a new
 17 automotive assembly plant in Kansas City, Kansas,
 18 which that would have been the '85, '86 time period.
 19 That job was approximately two and a half years.

20 I'm going to say that I had gotten the
 21 title change to manager during that time frame, but
 22 I'm not quite sure. I believed I had a grade change
 23 in that period.

24 Q. You recall at some point you became labor

1 relations manager?

2 A. Correct. That job concluded. This would
 3 have been approximately 1988. I was transferred to
 4 a job in Watertown, New York, which was the
 5 construction of the New Fort Drum facilities, the
 6 Tenth Mountain Division. I believe I still had the
 7 same title.

8 Q. As manager?

9 A. Yes. Those titles can be somewhat informal
 10 in our company. It's more grade changes that occur.
 11 It's not so much the title.

12 I'm currently Grade 18. I believe I
 13 started at a 14. I had a four grade progression
 14 over the years. I'm not sure when exactly those
 15 occurred. That would be in my personnel file.

16 Q. That's helpful.

17 A. Fort Drum, we were concluding that job from
 18 Watertown. We got a contract, the company did, with
 19 the Department of Energy in Oak Ridge, Tennessee to
 20 be their construction manager. There was about four
 21 months preparation for that job. I had to negotiate
 22 a project agreement with the building trades there.
 23 All of these were union projects, by the way.

24 Towards the end of 1990, I'm going to say

1 August, we staffed the project at Oak Ridge. I
 2 transferred there, my wife and I, from Watertown. I
 3 was there for approximately seven years, first as
 4 the labor relations manager only, and then in about
 5 '93, '94, we consolidated a number of departments,
 6 industrial relations, security and training into
 7 one. I was appointed as the team leader for that.
 8 I carried that team leader title for a couple of
 9 years.

10 Q. I assume at some point you became director
 11 of labor relations?

12 A. That's correct.

13 Q. Was that the next position you held after
 14 industrial relations and security training director?

15 A. That's correct.

16 Q. Do you recall approximately when you became
 17 director of labor relations?

18 A. It would have been in the 1998 time period.
 19 The director of labor relations for Morrison-Knudsen
 20 then, who, of course, was based in Boise, he had
 21 recommended me to the company. He was retiring, so
 22 to take his place. He was a director. He carried
 23 the director title.

24 Q. Have you held director of labor relations

1 as a position since 1998 to the present?

2 A. That's correct.

3 Q. I just want to go back to your experience
 4 as a police officer. I wonder if you could give me
 5 some understanding of the type of training that you
 6 had at that time to become a police officer at the
 7 academy.

8 I can help you with more specifics, unless
 9 you are able to give me a general response?

10 A. I recall the academy was about 12 weeks in
 11 length. I might add that for approximately six
 12 weeks before, the academy because I was hired before
 13 the next academy cycle occurred, I was assigned to
 14 crimes against persons at the headquarters in
 15 Downtown Dallas. I hate to say gopher, but that's
 16 what I did for the detectives.

17 Q. Assistant?

18 A. Assistant. I mostly did clerical
 19 activities. The academy began. The training at the
 20 academy was in criminal law; firearms; defensive and
 21 aggressive driving, had a fairly extensive course on
 22 that; handling domestic disputes, and that
 23 specifically because they were considered the most
 24 dangerous calls you would go on.

<p style="text-align: right;">Page 34</p> <p>1 to have occurred because of an individual's race? 2 A. I don't recall. 3 Q. Mr. Anderson, are you familiar with 4 something called "the broken windows theory"? 5 A. No. 6 Q. That was not something you studied when you 7 were in the police academy? 8 A. Not that I recall, no. 9 Q. What about when you were an MP, did you 10 have any occasion to investigate any anonymous 11 crimes? 12 A. No, I did not. 13 Q. Have you ever whether as an MP or as a 14 police officer in Texas investigated any crimes of 15 vandalism? 16 A. Yes, certainly in Texas. 17 Q. Any particular investigation that you can 18 recall that you can tell me about? 19 A. I can recall tire slashings of cars being 20 reported, windows of cars being broken, crimes like 21 that. 22 Q. What steps would you take to investigate 23 those types of crimes? 24 A. Gather any information I could as a</p>	<p style="text-align: right;">Page 36</p> <p>1 A. Ismet Cakrane. 2 Q. Who is he or she? 3 A. He is the vice president of labor 4 relations, and he's based in Princeton, New Jersey. 5 Q. Do you report to anybody else? 6 A. No. 7 Q. Does Mr. Cakrane report to anyone, that you 8 know of? 9 A. No, he does not. Let me step back on that. 10 Q. Certainly. 11 A. We have a group of executives at the high 12 level of the company called the Chairmen Board I 13 believe. If there were any issues that require a 14 corporate approval or involvement that is may have, 15 he may contact them. But that's a fairly rare 16 occurrence. 17 I just had to clarify that. He does have a 18 reporting, but it's not in the sense of he's 19 constantly dealing with this group. 20 Q. Who is the present president of the 21 company, WGI? 22 A. Steve Hanks. It's Office of the Chairman, 23 by the way. I'm sorry. 24 Q. You are referring to the group of</p>
<p style="text-align: right;">Page 35</p> <p>1 patrolman at the time. If there was any possibility 2 of physical evidence, I would contact in the case of 3 vandalism the crimes against persons unit to come 4 out to the property to see if they could gather any 5 prints or any physical evidence at the scene. 6 Q. Is it fair to say that when you were 7 working as a police officer, you worked as a sort of 8 onsite responder, and then if there was information, 9 you sent it to someone else that continued the 10 investigation? 11 A. That's correct. I headed a defined beat. 12 Q. I have some understanding of how WGI's 13 corporate structure works, but I wonder if you could 14 help me understand. As director of labor relations, 15 going back to your work at WGI, is that part of a 16 larger department or organization within WGI, like 17 human resources or anything like that? 18 A. No, it's not. It's a stand-alone 19 department. 20 Q. The department is labor relations? 21 A. That's correct. 22 Q. Is there anyone that you report to at WGI? 23 A. Yes. 24 Q. Can you tell me who.</p>	<p style="text-align: right;">Page 37</p> <p>1 executives you referred to earlier? 2 A. Yes. 3 Q. Is Mr. Hanks president and CEO? 4 A. Yes. 5 Q. How long has he been the president and CEO? 6 A. Nine or ten years. 7 Q. Do you have any regular contact with 8 Mr. Cakrane? 9 A. Yes. 10 Q. How often do you speak with him? 11 A. We talk usually around once a week. 12 Q. Where's he located? 13 A. Princeton, New Jersey. We have a corporate 14 office there. 15 Q. Do you have any regular face-to-face 16 meetings with him? 17 A. No. 18 Q. What percentage of the time that you 19 communicate with Mr. Cakrane is it over the phone, 20 would you say? 21 A. 95, 98 percent of the time. 22 Q. I assume that also includes E-mails or 23 writings? 24 A. Yes.</p>